

ORIGINAL

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Attorneys for Federal Defendant

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

BEATRICE THOMAS and WILLIAM THOMAS,

 Plaintiffs,

 v.
 UNITED STATES OF AMERICA,

 Defendant.

No. C 04-0827 PJH
E-FILING CASE

REQUEST FOR ORDER OF DISMISSAL
 AND ~~PROPOSED~~ ORDER

In accordance with the attached "Request for Dismissal" and the Stipulation And Order Approving Compromise Settlement filed March 31, 2005 herein, and the defendant UNITED STATES OF AMERICA having complied with the terms of said Compromise and Settlement, hereby requests that this action be dismissed with prejudice and without costs or interest by the plaintiff as against the defendant UNITED STATES OF AMERICA, or any of its agents,

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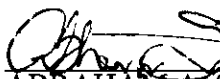
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 CLERK, U.S. DISTRICT COURT,
 NORTHERN DISTRICT OF CALIFORNIA

servants, or employees on account of the events alleged in the Complaint filed herein.

KEVIN V. RYAN
United States Attorney

DATED: June 13, 2005

By: 
ABRAHAM A. SIMMONS
Assistant United States Attorney
Attorneys for Defendant

PROPOSED ORDER

The Clerk is requested to enter this Dismissal in the official docket, send conformed copies hereof to the attorneys for the respective parties and close the file.

IT IS SO ORDERED:


HON. PHYLLIS J. HAMILTON
United States District Judge

DATED: 6/20/05

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address): MICHAEL G. LAND Attorney at Law 1020 15th Street, Suite 8 Modesto, CA 95354 (209) 529-9986 Fax: (209) 526-0441 ATTORNEY FOR (Name): Plaintiffs, BEATRICE THOMAS, et al.	TELEPHONE NO.: SBN 57560 FOR COURT USE ONLY
Insert name of court and name of judicial district and branch court, if any: UNITED STATES DISTRICT COURT, NORTHERN DIST. OF CALIFORNIA 450 Golden Gate Avenue, 16th Fl., San Francisco, CA 94102 PLAINTIFF/PETITIONER: BEATRICE THOMAS, et al. DEFENDANT/RESPONDENT: THE UNITED STATES OF AMERICA, et al.	
REQUEST FOR DISMISSAL <input checked="" type="checkbox"/> Personal Injury, Property Damage, or Wrongful Death <input type="checkbox"/> Motor Vehicle <input checked="" type="checkbox"/> Other <input type="checkbox"/> Family Law <input type="checkbox"/> Eminent Domain <input checked="" type="checkbox"/> Other (specify): Medical Negligence	
CASE NUMBER: C 04 0827 PJH	

- A conformed copy will not be returned by the clerk unless a method of return is provided with the document. -

1. TO THE CLERK: Please **dismiss** this action as follows:

- a. (1) ☒ With prejudice (2) ☐ Without prejudice
- b. (1) ☒ Complaint (2) ☐ Petition
- (3) ☐ Cross-complaint filed by (name) :
- (4) ☐ Cross-complaint filed by (name) :
- (5) ☒ Entire action of all parties and all causes of action
- (6) ☐ Other: (specify) :*

on (date) :

on (date) :

Date: June 7, 2005

MICHAEL G. LAND

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

* If dismissal requested is of specified parties only, of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.

2. TO THE CLERK: Consent to the above dismissal is hereby given.**

Date: June 15, 2005

Abraham Simmons, AUSA

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

** If a cross-complaint - or Response (Family Law) seeking affirmative relief - is on file, the attorney for the cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581(i) or (j).

(To be completed by clerk)

3. ☐ Dismissal entered as requested on (date) :
4. ☐ Dismissal entered on (date) : as to only (name) :
5. ☐ Dismissal **not entered** as requested for the following reasons (specify) :
6. ☐ a. Attorney or party without attorney notified on (date) :
 b. Attorney or party without attorney not notified. Filing party failed to provide
 ☐ a copy to conform ☐ means to return conformed copy

Date:

Clerk, by _____, Deputy

REQUEST FOR DISMISSAL

THOMAS VS. U.S.A.